

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO

STATE OF NEW MEXICO, *ex rel.*  
State Engineer

Plaintiff,

vs.

ROMAN ARAGON, *et al.*,

Defendants.

6:69cv07941-BB

RIO CHAMA STREAM SYSTEM

Section 7, Village of Chama

**MOTION FOR DEFAULT JUDGMENT**

COMES NOW the plaintiff State of New Mexico, *ex rel.* State Engineer and moves the Court to enter its order granting default judgment against the following defendants:

Herman Candelaria                    CHCV-003-0022  
    CHCV-003-0043

Michael J. Roundy                    CHCV-003-0022  
    CHCV-003-0043

Puanani Kauaihilo                    CHCV-003-0022  
    CHCV-003-0043

and as grounds therefore plaintiff states:

1. Defendants Herman Candelaria, Michael J. Roundy and Puanani Kauaihilo are in default for failure to appear, answer, or otherwise defend in this cause, as shown by the Clerk's Certificate of Default filed January 6, 2009 (Doc. No. 9358).

WHEREFORE, the plaintiff State of New Mexico requests the Court to enter its order granting default judgment against the above-named defendants incorporating the terms of the State's proposed

consent orders in Subfiles CHCV-003-0022 and CHCV-003-0043 and in conformance with the Office of the State Engineer Hydrographic Survey for Section 7 of the Rio Chama Stream, Village of Chama, as amended.

Respectfully submitted,

/s/ Ed Newville  
EDWARD G. NEWVILLE  
Special Assistant Attorney General  
Office of State Engineer  
P.O. Box 25102  
Santa Fe, NM 87504-5102  
(505) 867-7444 telephone  
(505) 867-2299 facsimile

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on the 8<sup>th</sup> day of January, 2009 I filed the foregoing electronically through the CM/ECF system which caused the parties on the electronic service list, as more fully set forth in the Notice of Electronic Filing, to be served via electronic mail, and served the following non-CM-ECF participants in the manner indicated:

via first class mail, postage prepaid addressed as follows:

Herman Candelaria  
P.O. Box 39  
Chama, NM 87520

Michael J. Roundy  
Puanani Kauaihilo  
10404 Las Palmas St., NW  
Albuquerque, NM 87114

/s/ Ed Newville  
EDWARD G. NEWVILLE